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### Equal Protection

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provision.

## SUPREME COURT

### NASSAU COUNTY

#### Reform Education Financing Inequities Today v. Cuomo<sup>365</sup> (decided December 12, 1991)

See the case discussion under EDUCATION ARTICLE.<sup>366</sup> As to plaintiff's equal protection claim, the court noted that the court of appeals, in *Board of Education, Levittown Union Free School District v. Nyquist*,<sup>367</sup> previously upheld the funding scheme despite disparities in per pupil expenditures among the various districts. The court granted the defendant's motion to dismiss and concluded that the legislature has "[p]rimary responsibility for the provision of fair and equitable educational opportunity . . . ."<sup>368</sup>

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365. No. 2500/91, 1991 N.Y. Misc. LEXIS 725, at \*1 (Sup. Ct. Nassau County Dec. 12, 1991).

366. See *supra* notes 279-316 and accompanying text.

367. 57 N.Y.2d 27, 439 N.E.2d 359, 453 N.Y.S.2d 643 (1982), *appeal dismissed*, 459 U.S. 1138 (1983).

368. *REFIT*, 1991, N.Y. Misc. LEXIS 725, at \*24.